

REMARKS

Claims 64 to 79 are pending in the application. Claims 64 and 75 are independent.

Favorable reconsideration and further examination are respectfully requested

Initially, Applicants thank the Examiner for the indication that claims 65, 69, 71 to 74, 78 and 79 are allowable. Applicants, however, have not incorporated the allowable subject matter into the independent claims because Applicants believe those claims to be patentable for at least the reasons explained below.

Next, Figs. 1, 2D, 3, 4, 5A, 5B, 5C, 6 and 9 were objected to for not containing descriptive text. Applicants are submitting replacement sheets herewith, and respectfully request withdrawal of this objection to the drawings.

The non-allowable claims were rejected over U.S. Patent No. 6,091,765 (Pietzold) in view of DE3010707 (Kautmann). Applicants respectfully traverse the rejection over Pietzold and Kautmann.

Independent claim 64 recites microswitches or microrelays associated with the passive structural elements. The microswitches or microrelays are actuated to configure the passive structural elements to produce at least one functional parameter, which comprises a frequency characteristic. A control unit is programmable over a wireless interface to actuate the microswitches or microrelays and to set a value of the at least one functional parameter. The applied art is not understood to disclose or to suggest at least these features of claim 64.

In this regard, the Office Action equates item 150 of Pietzold's Fig. 6 to the receiver of claim 64, item 152 to the transmitter of claim 64, and item 24 to the switch over and adapter

stage of claim 64. It is noted, however, referring to Figs. 2 and 6, that items 150 and 152 are part of item 24 and, therefore, item 24 would not constitute a stage that is separate from the alleged stages represented by items 150 and 152. We also note that item 24 (the alleged counterpart to the switch-over and adapter stage) is an ASIC that is digitally configured to process digital signals (see, e.g., column 6, lines 10 to 19 of Pietzold). As such, there would be no motivation to incorporate the LC tuning elements of Kautmann in place of ASIC 24.

For at least the foregoing reasons, claim 64, and the claims that depend therefrom, are believed to be patentable.

Independent claim 75 recites method for operating a terminal associated with a mobile phone, which comprises receiving a signal to configure a transmitter stage or a receiver stage of the terminal, and deactivating the transmitter stage and the receiver stage before configuring a microswitch configuration, a microrelay configuration, or a micromotor associated with the transmitter stage or the receiver stage.

The Office Action cites column 37, lines 29 to 60 for its alleged disclosure of deactivating the transmitter stage and the receiver stage before configuring. However, as understood, that portion merely describes performing resetting prior to configuration. Moreover, as explained above, the alleged counterparts to the transmitter and receiver stages (items 152 and 150) are part of an ASIC that performs digital processing and, as such, would not properly be combined with the switching elements of Kautmann.

For at least the foregoing reasons, claim 75, and the claims that depend therefrom, are believed to be patentable.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. Telephone calls regarding this application should be directed to 617-521-7896.

Please apply any fees due, including extension fees, to Deposit Account No. 06-1050 referencing Attorney Docket No. 12758-025001.

CHANGE OF ATTORNEY DOCKET NUMBER.

Please note that that attorney docket number for this case has changed to **21567-011US1**.

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Respectfully submitted,

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